



UNITED STATES PATENT AND TRADEMARK OFFICE

mn

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/685,138

10/11/2000

Ju-Heon Lee

112-1001

4552

38209 7590 06/12/2007
STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON, DC 20006

EXAMINER

NGUYEN, TANH Q

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

06/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/685,138

Applicant(s)

LEE, JU-HEON

Examiner

Tanh Q. Nguyen

Art Unit

2182

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☒ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 3. NOTE:

The amendments of claims 8, 31, 41, 42 change the scope of those claims and raise new issues that would require further consideration and/or search.

8 (Currently Amended) The memory device of claim 7, wherein the data processing system ~~starts to work~~ operates only when the security information of the memory device is matched with the security information of the data processing system.

31. (Currently Amended) The method of claim 25, ~~wherein~~ further comprising:
providing the USB security device with: ~~comprises:~~
a USB connector for being connected to the USB port of the host computer, the ~~cover being biased to cover the USB connector prior to insertion into the USB port;~~
an integrated circuit memory for writing/reading data;
~~a connector cover protecting the USB connector from damage, the connector cover capable of sliding automatically backwards upon insertion of the portable memory device into said USB port exposing the USB connector; and~~
a USB interface coupled between the USB connector and the memory, for interfacing the memory with the data processing system.

41. (Currently Amended) The portable memory device of claim 38, wherein the thickness of the retractable cover equals the overall thickness of the housing minus the overall thickness of the flat ledge USB connector.

42. (Currently Amended) The portable memory device of claim 41, wherein an overall outer ~~thickness~~ dimension of the retractable cover equals the overall thickness of the housing.

The additions of new claims 43-44 present additional claims without cancelling a corresponding number of finally rejected claims.

The additions of new claims 43-44 raise new issues that would require further consideration and/or search (note that "amplifying issues previously discussed" implies that the scope of the new claims is not the same as the scope of previously examined claims - hence would require further consideration and/or search corresponding to the scope of the new claims). The additions of new claims 43-44 therefore do not put the application in condition for allowance.

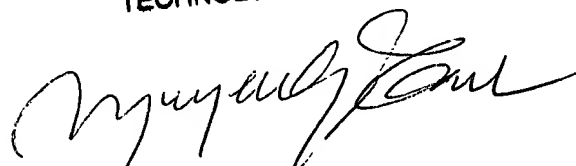
The additions of new claims 43-44 do not present rejected claims in better form for consideration on appeal because claims 43-44 are new claims, and therefore are not

Art Unit: 2182

previously rejected claims. Furthermore, the additions of claims 43-44 are not deemed to place the application in better form for appeal because they do not materially reduce or simplify the issues for appeal.

The additions of new claims 43-44 are made in response to arguments raised in the final office action, hence implying that the scope of the added claims is not the same as the scope of the previously presented claims. A change of scope would raise new issues that would require further consideration and/or search.

TANH Q NGUYEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100


June 6, 2007

TQN
June 6, 2007